



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Michael Wayne Brown et al.

Serial No.: **10/686,408**

Filed: **October 14, 2003**

For: **Method for monitoring cumulative
fitness activity**

§ Attorney Docket No. **AUS990882US4**

§

§

§

Examiner: **Unknown**

§

§

§

§

Art Unit: **3764**

SECOND INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97(b)(3)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith the references listed on the attached Substitute Form 1449/PTO pursuant to 37 C.F.R. § 1.97(b)(3), i.e., before the mailing of the first Office action on the merits.. Copies of these references are included herewith.

CERTIFICATE OF MAILING
under 37 CFR 1.8

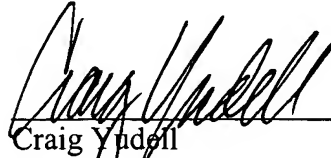
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: **Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450**, on Jan 23, 2003. 2004.

MARY ANN HEALEY
Type Name of Person Signing

Mary Ann Healey
Signature of Person Signing

No fee is believed to be due to submit this paper; however, please charge any fees necessary to further the prosecution of this application to **IBM Corporation's Deposit Account No. 09-0447**.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig Yndell", written over a horizontal line.

Craig Yndell

Reg. No. 39,083

BRACEWELL & PATTERSON, L.L.P.

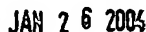
P.O. Box 969

Austin, Texas 78767-0969

Tel.: 512.472.7800

ATTORNEY FOR APPLICANT(S)

Doc ID 131868



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet 1

of 1

Complete if Known

Application Number	10/686,408
Filing Date	October 14, 2004
First Named Inventor	Michael Wayne Brown
Art Unit	3764
Examiner Name	Unknown
Attorney Docket Number	AUS990882US4

U. S. PATENT DOCUMENTS

[illegible]

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.